



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

June 25, 2012

JONATHAN MARTIN, TREASURER
CAMPAIGN FOR PRIMARY ACCOUNTABILITY
INC
3900 ESSEX LANE, SUITE 250
HOUSTON, TX 77027

Response Due Date
07/30/2012

IDENTIFICATION NUMBER: C00502849

REFERENCE: APRIL MONTHLY REPORT (03/01/2012 - 03/31/2012)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 4 item(s):

1. Schedule E of your report discloses the Calendar Year-To-Date Per Election for Office Sought total for "MARCY C HON. KAPTUR" and "DENNIS J KUCINICH" to be \$137,067.55. However, FEC calculations disclose this amount(s) to be \$253,178.55. Please amend your report to clarify this discrepancy. (2 U.S.C. § 434(b)(4) and 11 CFR §104.4(f))

2. Schedule E of your report indicates that your committee may have failed timely file one or more of the required 24 hour report(s) regarding "last minute" independent expenditures (see attached). A political committee must file a 24 hour report with the Federal Election Commission as specified in 11 CFR §104.4(c), within 24 hours of any independent expenditures of \$1,000 or more with respect to a given election, made between two and twenty days before an election. The report must be received by the Commission by 11:59 p.m. on the day following the date on which independent expenditures that aggregate \$1,000 or more are publicly distributed or disseminated. These expenditures must then be fully itemized on Schedule E, or as memo entries on Schedule E and reflected on Schedule D if distributed or disseminated prior to payment, of the next report required to be filed by the committee.

The Commission notes the Miscellaneous Electronic Submission, dated 3/12/12 filed by your committee which states, "For three 24-hour reports, submitted and reported on 3/11/12, our committee had to fax in the reports

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versus using the FEC File Electronic software because of a glitch in the software. We were routinely receiving a "Null" error message, so in order to report in a timely manner per the 24 hour requirement, CPA had to resort to faxing our reports. These reports were also filed again this morning successfully via the FEC file software, so the FEC has received the reports twice. The electronic filing office called on 3/12 to report that they had in fact received the fax with a 3/11 time stamp, and requested that I call my analyst to inform her of the situation. Thus our reports were submitted in a timely manner to reiterate. Thank you." Although the Commission may take further action concerning this matter, your prompt response will be taken into consideration. (11 CFR §104.3(b)) Please clarify which 24 hour reports were filed via fax and FECfile.

3. Your committee has filed a 24 hour report for an independent expenditure opposing Donald Manzullo (see attached) which has not been itemized on Schedule E supporting Line 24 of the Detailed Summary Page. Please be advised that independent expenditures disclosed on 24 hour reports must also be itemized on a corresponding Schedule E or MEMO Schedule E and Schedule D (if applicable), in the appropriate reporting period. Further, if the actual payment(s) for the independent expenditure(s) occurs after the date of dissemination, the appropriate report(s) should continue to show payment on Schedule E and Schedule D, until the debt is fully extinguished. Please amend your report and any subsequent reports that may be affected by this correction. (11 CFR §104.4)

- Schedule B discloses an expenditure(s) for "Production and content consulting" and "Production costs." If a portion or all of these expenditures were for public communications (as defined by 11 CFR §100.26) containing express advocacy as defined under 11 CFR §100.22, this would constitute an independent expenditure and should be properly disclosed on a Schedule E supporting Line 24. Public communications that refer to a clearly identified Federal candidate, but that do not expressly advocate the election or defeat of that candidate should be reported on Schedule B for Line 21(b) of the Detailed Summary Page. Please clarify whether this activity contained express advocacy and amend your report to properly disclose this activity, if necessary.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to

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taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1164.

Sincerely,

A handwritten signature in black ink that reads "Nicole Miller". The signature is written in a cursive, flowing style.

Nicole Miller
Senior Campaign Finance Analyst
Reports Analysis Division

Late 24 Hour Report (Schedule E)
CAMPAIGN FOR PRIMARY ACCOUNTABILITY INC. (C00502849)

Name of Payee	Date	Amount	Purpose	Candidate	Report Received
Dialing Services, LLC	3/10/12	\$1,657.74	Automated phone calls	JO BONNER	3/12/12
Message & Media	3/10/12	\$600.00	Email communication	JO BONNER	3/12/12
CMF Communications	3/9/12	\$4,000.00	Online advertising	DEBORAH 'DEBBIE' HALVORSON	3/12/12
CMF Communications	3/17/12	\$4,162.44	Auotmated telephone calls	DEBORAH 'DEBBIE' HALVORSON	3/19/12
CMF Communications	3/17/12	\$1,011.62	Email communication	JESSE JR JACKSON	3/19/12

Missing Schedule E
CAMPAIGN FOR PRIMARY ACCOUNTABILITY INC. (C00502849)

Name of Payee	Date	Amount	Purpose	Candidate	Report Received
Lewis Advertising	3/17/12	\$15,000.00	Television advertisement	DONALD A. MANZULLO	3/19/12